



Amendments to the Drawings:

Corrected drawings FIGS. 1a, 1b, 1c and FIG. 2 are submitted herewith for approval.

Attachment: Replacement Sheet

REMARKS

Reconsideration of the present amendment, as amended, is respectfully requested.

Claims 1-12 are pending.

Claims 1 and 7 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Henmi (US 6,137,603) in view of Yamane (US 5,434,691).

Claims 2-6, 8-12 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Henmi (US 6,137,603) in view of Yamane (US 5,434,691) and further in view of Kitamura (US 5,130,837).

Amendment to the Specification:

The specification has been amended to claim the present application as a national stage application of PCT Patent Application No. PCT/SE00/00544, filed March 20, 2000 which claims priority from Swedish Patent Application No. 9900991-2, filed March 18, 1999, entitled “A RECEIVER TRANSPONDER FOR PROTECTED NETWORKS”.

The present application is also related to US Patent Application Serial No. 09/637,027, filed August 14, 2000, now issued as US Patent No. 6,639,703, and to co-pending US Patent Application Serial No. 10/462,087, filed June 12, 2003.

Changes in the Claims:

Claims 1, 3, 7, and 9 have been amended in this application to further particularly point out and distinctly claim subject matter regarded as the invention. No new matter has been added.

Amendments to Claims 1 and 7 are supported by the present specification at page 5, lines 30-34.

Changes in the Drawings:

FIGS. 1a, 1b, 1c and FIG. 2 stand objected to on the grounds that the legend “Prior Art” is missing. MPEP §608.02(g). Accordingly, FIGS. 1a, 1b, 1c and FIG. 2 have been amended to designate FIGS. 1a, 1b, 1c and FIG. 2 with the legend “Prior Art.” Applicant therefore requests that the objection to the Drawings be withdrawn.

No new matter has been added. Approval of the corrections is respectfully requested.

Rejection under 35 USC §103(a) – claims 1 and 7

Claims 1 and 7 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Henmi (US 6,137,603) in view of Yamane (US 5,434,691). This rejection is respectfully traversed.

Under MPEP §706.02(j), in order to establish a *prima facie* case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all the claim limitations (MPEP §2143.03). See In re Royka, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

Henmi describes an optical network where “an electrical switch 1072 is provided on the side of optical receivers 1052 and 1053”. See Col. 1, lines 37-38.

Yamane describes a communication system having optical transmission line switching system.

Applicant requests reconsideration of claims 1-7 rejection because the proposed combination does not teach or describe all of the claim limitations of claims 1 and 7. In particular, both claims 1 and 7 claim “each optoelectric converter generating an output signal carrying a supervisory channel”. Henmi describes the output of both optical receivers 1052 and 1053 connected only to electrical switch 1072. No other signal is generated from optical receivers 1052 and 1053. Yamane teaches switching control (FIG.3). The electro-optical and optical-electro elements (50-1, 51-1) are simply connected to photocoupler 52-1 (FIG.6). There is only one output signal for each element as illustrated in FIG. 6. Therefore, the proposed combination of Henmi and Yamane does not suggest an optoelectric converter generating an output signal carrying a supervisory channel.

Applicant therefore submits that the rejection based the Henmi and Yamane reference is improper and should be withdrawn. Thus, Applicant submits that claims 1-7

recite novel subject matter which distinguishes over any possible combination of Hemni and Yamane.

Rejection under 35 USC §103(a) – claims 2-6 and 8-12

Claims 2-6, 8-12 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Henmi (US 6,137,603) in view of Yamane (US 5,434,691) and further in view of Kitamura (US 5,130,837). This rejection is respectfully traversed.

Kitamura describes a regeneration circuit 16 (FIG. 1). The Office Action asserts that Kitamura teaches “an optical repeater having regeneration circuit which obviously can be used to amplify/retime/reshape the digital signal coming from the supervisory device 40, there it can be interpreted as ‘clean’ the signal output from the electronic switch from a supervisory channel.” Applicant respectfully disagrees. Although Kitamura describes a regeneration circuit, Kitamura does not teach or suggest a signal output from the electronic switch from the supervisory channel. The proposed combination of Henmi, Yamane and Kitamura does not teach or suggest an optoelectric converter generating an output signal carrying a supervisory channel.

Applicant therefore submits that the rejection based the Hemni, Yamane, and Kitamura reference is improper and should be withdrawn. Thus, Applicant submits that claims 2-6, 8-12 recite novel subject matter which distinguishes over any possible combination of Hemni, Yamane, and Kitamura.

Conclusion

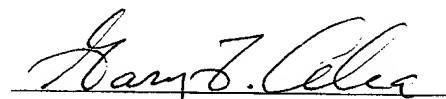
For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.

Request for allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,
AKA CHAN LLP

Dated: August 8, 2005



Gary T. Aka
Reg. No. 29,038



ANNOTATED SHEET SHOWING CHANGES

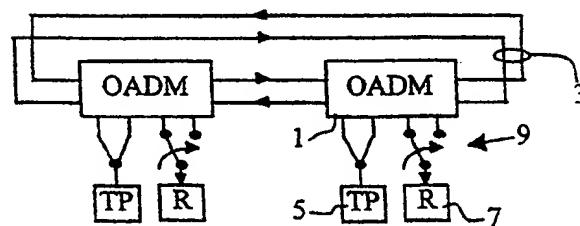


Fig. 1a **PRIOR ART**

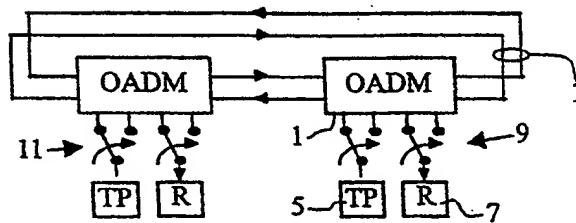


Fig. 1b **PRIOR ART**

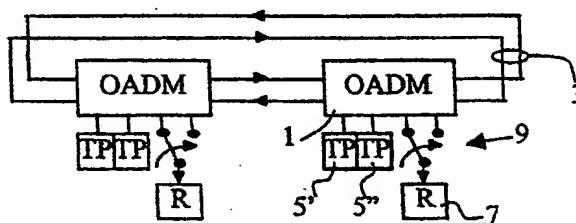


Fig. 1c **PRIOR ART**

ANNOTATED SHEET SHOWING CHANGES

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